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IN THE HON'BLE HIGH COURT OF CHHATTISGARH, BILASPUR (C.G.)

WRIT PETITION NO. 1782/2006

PETITIONER

:

Uma Shankar Chaturvedi, s/o R.S. Chaturvedi, aged about 45 years, posted as Electrical Fitter, Deepika Expansion, S.E.C.L., Gevra District Korba R/o. A/149, Basant Vihar, Bilaspur, District Bilaspur (C.G.)

P.R. No. 1833/06
Presented by M. S. Chaturvedi
dated 3/4/06

VERSUS

RESPONDENTS

:

1. **South East Coal Limited**,
Through- Chief Managing Director,
S.E.C.L. Bilaspur (C.G.)
2. The Coal Mining Director, S.E.C.L.,
Bilaspur (C.G.)
3. The Deputy General Manager, Deepika
Expansion, S.E.C.L. Gevra Area,
District Korba (C.G.)



**WRIT PETITION UNDER ARTICLES 226 OF THE
CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT/WRITS,
ORDER/ORDERS, OR/AND DIRECTION / DIRECTIONS IN THE
NATURE OF MANDAMUS/CERTIORARI, OR OF ANY OTHER
APPROPRIATE NATURE.**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	5.7.2006 Shri M.P.S. Bhatia, Advocate for the petitioner along with petitioner. Shri Anand Mohan Tiwari, Advocate for the respondents along with Shri B. Chakravarthy, Personnel Manager (Admn.), SECL. Heard. The grievance of the petitioner raised in this petition is that after his transfer to Gevera he has not been allotted quarter at Gevera, therefore, he has not vacated the quarter at Bilaspur and on account of non-vacation of quarter a departmental enquiry has been initiated against him. When the matter is taken up for hearing, counsel for the petitioner submitted that the petitioner is ready to vacate the quarter within a period of two weeks, therefore, the departmental enquiry initiated on account of the said conduct of the petitioner be dropped. Shri Chakravarthy, Personnel Manager (Admn.) submitted that if the petitioner vacates the quarter within two weeks, the petitioner's case in the departmental enquiry shall be considered sympathetically and accordingly the order shall be passed. He further submitted that on vacation of the quarter at Bilaspur the case of the petitioner for allotment of quarter at Gevera will also be considered on priority basis. As far as the grievance of the petitioner regarding non-payment of T.A. & D.A. allowances is concerned, it is evident from	

मामला क्रमांक सन् 200

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आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	the order dated 11.9.2000 (Annexure P-5) passed by the General Manager (Manpower), SECL, Bilaspur that the said transfer was made on the request of the petitioner, therefore, he is not entitled for any allowance. Counsel for the petitioner submits that the transfer was not made at the request of the petitioner and disputes the fact. As far as this issue is concerned, disputed facts are involved, therefore, the petitioner may file a civil suit before the Civil Court for that relief, if so advised. In view of the above agreement between the parties, the petition is disposed of with a direction that if the petitioner vacates the quarter within a period of two weeks' from today, taking sympathetic view of the matter, departmental enquiry initiated against the petitioner be disposed of and allotment of quarter to the petitioner at Gevra be also considered. Certified copy as per rules.	Sd/- L.C. Bhadoo Judge

Roshan/-

13/7/07
13/8/08
6/12/07